

REMARKS

This document is responsive to the Office Action dated March 17, 2011. Claims 28, 29, 33 – 39 and 41 – 43 are in the application; claims 33, 36, 38 and 39 stand withdrawn from consideration.

Claims 28, 29, 34, 35, 37 and 41 - 43 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 – 24 and 1 – 15 of U.S. Patent No. 6710092 and 7271200, respectively. These rejections are respectfully traversed.

In order to facilitate allowance of the pending claims 1-12 and 26-30, Applicants submit herewith terminal disclaimers disclaiming the terminal part of the statutory term of any patent granted on the above-identified application (i.e., U.S. Patent Application Serial No. 09/873,418), which would extend beyond the expiration date of the full statutory term of (i) U.S. Patent No. 6710092 and (ii) U.S. Patent No. 7271200. Accordingly, reconsideration and withdrawal of the double patenting rejections are respectfully requested.

Applicants submit that the non elected claims 33, 36, 38 and 39 are eligible for rejoinder as such claims depend from or otherwise require all the limitations of an allowable claim. Rejoinder of the non-elected claims is respectfully requested.

In view of the remarks, Applicants submit that the present claims are allowable over the cited art. Withdrawal of all rejections is respectfully requested, along with issuance of a Notice of Allowance. Applicants invite the Examiner to telephone the undersigned attorney of record if the Examiner feels that the call will be beneficial to advance prosecution of the application.

Respectfully submitted,

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